

REMARKS

Claims 1, 7, 12, 13, 26, 28, and 33 have been amended. Claims 2, 8, 19-20 and 29 have been previously canceled. Claims 34-38 have been newly added. Claims 1, 3-7, 9-18, 21-28, and 30-38 are now pending in this application, with claims 1, 7, 13, and 28 being the only independent claims. Claims 1, 3-7, 9-18, 21-28, and 30-33 have been rejected under 35 U.S.C. §103 as unpatentable over U.S. Patent No. 6,697,695 (Kurihara), in view of U.S. Patent Application Publication No. 2005/0164684 (Chen), and further in view of U.S. Patent No. 5,224,047 (Kitagawa).

Rejection of claims 1, 3-7, 9-18, 21-28, and 30-33 under 35 U.S.C. §102(e)

The Office Action states that the combination of Kurihara, Chen, and Kitagawa teaches all of Applicant's recited elements. Applicant disagrees.

Independent claim 1 has been amended to recite a fault message system that includes "at least one stationary data receiving unit in communication with the fault alarm box, the at least one stationary data receiving unit comprising a lamp, the at least one stationary data receiving unit being configured for wirelessly receiving and indicating the fault signals, the lamp being configured for visually displaying the fault signals", which Kurihara, Chen, and Kitagawa, whether taken alone or in combination, fail to teach or suggest. Support for the claim amendment can be found in Fig. 1, and paragraph [0004] of Applicant's published specification.

According to Applicant's invention as recited in amended claim 1, the at least one data receiving unit is a stationary unit (i.e., non-mobile), that includes a lamp that is visible from a distance on a factory floor.

Kurihara discloses a laser device management system, which includes a laser control apparatus 10, which controls a laser device 2 and monitors a state of the laser device 2 (col. 8, lines 47-51 of Kurihara). The laser control apparatus 10 and laser device 2 of Kurihara are part of a semiconductor fabrication apparatus 60. A monitor terminal 20 receives data indicating the state of the laser device 2 and transmits the data to a server device 30 which processes the data and outputs the data to a display terminal 40 (col. 8, lines 51-56). Kurihara further discloses that two semiconductor fabrication apparatus 60 may be connected to one monitor and that a plurality of semiconductor fabrication units 311 can be in one factory (see Figs. 11 and 22 of Kurihara).

According to the Examiner's interpretation of Kurihara, the Examiner appears to believe that the monitor 90 of Kurihara corresponds to Applicant's recited fault alarm box 6, and that the warning display S18 (Fig. 15) or the display 318 (Fig. 22) of Kurihara corresponds to Applicant's data receiving unit 4. Applicant disagrees.

The monitor 90 of Kurihara is not connected to multiple displays (i.e., data receiving units) and the each display S18, 318 does not appear to be wirelessly connected to multiple fabrication apparatuses (i.e., production units). In other words, each display S18, 318 does not wirelessly receive and indicate fault signals. Thus, the monitor 90 of Kurihara does not provide the same function as Applicant's recited fault alarm box 6, and the warning display S18 (Fig. 15) or the display 318 (Fig. 22) of Kurihara does not provide the same function as Applicant's recited data receiving unit 4.

In contrast to Applicant's recited lamp, the display monitor disclosed by Kurihara has an extremely limited visual field. In other words, a factory worker/supervisor must walk up to monitor and read it. If a fault message is displayed on the monitor of Kurihara, and the factory worker is somewhere out of reading distance, the factory worker will not be able to see the fault

message. However, with Applicant's recited lamps, as described above, the factory worker is able to easily and immediately see the visually displayed fault signal over great distances as long as the lamp is within the factory worker's field of view/line of sight.

Thus, Kurihara, fails to teach or suggest at least one stationary data receiving unit in communication with the fault alarm box, the at least one stationary data receiving unit comprising a lamp, the at least one stationary data receiving unit being configured for wirelessly receiving and indicating the fault signals, the lamp being configured for visually displaying the fault signals", which is acknowledged by the Examiner.

The Examiner cites Chen as teaching "the at least one data receiving unit being configured for wirelessly receiving and indicating the fault signals", and col. 1, lines 39-41 of Kitagawa as teaching "the at least one data receiving unit comprising a lamp".

Chen discloses a handheld communicator (i.e., mobile, non-stationary) that wirelessly interfaces or communicates with individual devices in a process control system, such as field devices, controllers, etc., to wirelessly perform monitoring, maintenance, configuration, and control activities with respect to those devices. The wireless handheld communicator of Chen includes a housing adapted for handheld operation, a processing unit disposed within the housing, a computer readable memory disposed within the housing and coupled to the processing unit and a display, a keypad, and a radio frequency transceiver. The handheld communicator of Chen may be adapted to communicate with a host system to receive information needed to communicate with various field devices in the process plant and may then be used to wirelessly communicate with each of the various field devices directly while in close proximity to the field devices to perform monitoring and configuration activities with respect to the field devices. Thereafter, information obtained from the field devices may be wirelessly communicated to the

host system or to a repository, such as a data historian or a configuration database (see abstract of Chen).

In other words, for the system of Chen to work, the user must be in possession of the wireless handheld communicator. Further, to obtain any information about the monitored devices, the user must be in possession of the wireless handheld communicator and looking at the display. If the user of the device of Chen does not purposely look at the display, the user will not know what the status of the system is.

Although Kitagawa appears to disclose the use of a lamp for indicating fault signals, according to the Examiner's proposed combination of references, the lamp of Kitagawa would necessarily be disposed in the mobile handheld communicator of Chen.

Combining the lamp of Kitagawa with the mobile handheld communicator of Chen would result in a mobile data receiving unit that still must be in the possession of a user to convey any information about the monitored devices. Because the lamp, which would be disposed on the mobile handheld communicator, must be small, the user may still not see the lamp if the user is not looking directly at the mobile handheld communicator.

In contrast to the Examiner's proposed system arrived at through combining the system of Kurihara, the handheld device of Chen, and the lamp of Kitagawa, Applicant's recited data receiving unit is a "stationary data receiving unit", which includes a lamp. One or more of Applicant's stationary data receiving units wirelessly communicates with one or more production units and activates a lamp (in response to a received fault signal) that is visible from a great distance. The factory worker is able to easily and immediately see the visually displayed fault signal over great distances as long as the lamp is within the factory worker's field of view/line of sight.

Therefore, Kurihara, Chen, and Kitagawa, whether taken alone or in combination, fail to teach or suggest a fault message system that includes “at least one stationary data receiving unit in communication with the fault alarm box, the at least one stationary data receiving unit comprising a lamp, the at least one stationary data receiving unit being configured for wirelessly receiving and indicating the fault signals, the lamp being configured for visually displaying the fault signals”, as recited in Applicant’s amended claim 1. Accordingly, independent claim 1 is patentable over Kurihara, Chen, and Kitagawa under 35 U.S.C. §103(a).

Claims 7, 13, and 28 have been amended to recite limitations similar to independent claim 1, and are, therefore, deemed to be patentably distinct over Kurihara, Chen, and Kitagawa for at least those reasons discussed above with respect to independent claim 7.

Claims 3-6, 9-12, 14-18, 21-27, and 30-33, which depend from independent claims 1, 7, 13, and 28 incorporate all of the limitations of the corresponding independent claim and are therefore deemed to be patentably distinct over Kurihara, Chen, and Kitagawa for at least those reasons discussed above with respect to independent claims 1, 7, 13, and 28.

Newly added claims 34-38

Claims 34-38 have been newly added. Support for newly added claims 34-38 can be found in Fig. 1, and paragraphs [0011], [0015], [0016] of Applicant’s published specification.

Claims 34-38, which depend from independent claims 1 and 13 incorporate all of the limitations of the corresponding independent claim and are therefore deemed to be patentably distinct over Kurihara, Chen, and Kitagawa for at least those reasons discussed above with respect to independent claims 1 and 13.

Conclusion

In view of the foregoing, reconsideration and withdrawal of all rejections, and allowance of all pending claims is respectfully solicited.

Should the Examiner have any comments, questions, suggestions, or objections, the Examiner is respectfully requested to telephone the undersigned in order to facilitate reaching a resolution of any outstanding issues.

Respectfully submitted,
COHEN PONTANI LIEBERMAN & PAVANE LLP

By


Alfred W. Froebrich
Reg. No. 38,887
554 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: January 20, 2009